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MAY - 4 2004

TRASK BRITT
P.O. BOX 2550
SALT LAKE CITY UT 84110

In re Application of :
David Lisonbee et al :
Serial No.: 10/663,353 : PETITION TO MAKE SPECIAL
Filed: September 15, 2003 :
Attorney Docket No.: 2820-5964 :


This is in response to applicants' petition filed February 26, 2004, to make the above-identified application special under the provisions of 37 CFR 1.102(d).

Applicant has not satisfied the provisions set forth in M.P.E.P. 708.02, II, relating to actual or potential infringement. Therefor the petition is **DISMISSED**.

Applicants' petition indicates the "making of a careful and thorough search" and that "all of the references...located...are already of record...in the application. Accordingly no additional references are supplied." However, no references are of record in the application and no listing of references was supplied. One or two US Patents are noted in the specification, however this does not satisfy the requirement set forth in M.P.E.P. 708.02, II. Some indication of the area searched and a listing of references discovered which are most closely related to the claimed subject matter is required.

In addition, some evidence of an allegedly infringing product identified by name, trademark, etc., should be presented where it is alleged that a product is infringed.

Should there be any questions with regard to this letter please contact William R. Dixon, Jr. by letter addressed to the Director, Technology Center 1600, P.O. Box 1450, Alexandria, VA 22313-1450, or by telephone at 571-272-0519 or by facsimile transmission to the Office general facsimile number.


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